

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EMETERIO SEPULVEDA-MORENO,

Defendant.

8:22CR205

ORDER

This matter is before the Court on the defendant, Emeterio Sepulveda-Moreno's Unopposed Motion to Extend Pretrial Motion Deadline. (Filing No. 108). The motion is unopposed by the government. Nonetheless, the pretrial motion deadline in the case has been extended on multiple occasions. And while one co-defendant has been convicted and sentenced, the motion fails to state the position of a remaining co-defendant, German Aguilar Beltran. After review, the Court finds good cause to schedule the matter for a status conference but to otherwise deny the motion. Accordingly,

IT IS ORDERED:

- 1) Defendant's Unopposed Motion to Extend Pretrial Motion Deadline (Filing No. 108) is granted, in part. The matter shall be set for a status conference.
- 2) A telephonic status conference with counsel will be held before the undersigned magistrate judge at **9:30 a.m. on November 6, 2023**. Counsel for the parties shall use the conferencing instructions provided by the Court to participate in the call.
- 3) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and on November 6, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(6), (7)(A) & (B).
- 4) Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 10th day of October, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge